

1 STEPHEN N. HOLLMAN, ESQ., STATE BAR NO. 055219  
 2 Business & Technology Law Group  
 3 160 W. Santa Clara Street, Suite 1050  
 4 San Jose, CA 95113  
 5 Telephone (408) 282-1949  
 6 Facsimile (408) 275-9930

7 Attorneys for Defendant,  
 8 Counterclaimant, and Third Party Plaintiff,  
 9 PATRICIA CROWELL

## 10 UNITED STATES DISTRICT COURT

## 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 WINE SCOUT INTERNATIONAL,	)	CASE NO. C 07 05930 JSW
13 Plaintiff,	)	
14 vs.	)	<b>AMENDED</b>
15 PATRICIA CROWELL,	)	<b>NOTICE OF UNAVAILABILITY OF</b>
16 Defendant.	)	<b>COUNSEL FOR DEFENDANT,</b>
	)	<b>COUNTERCLAIMANT, AND THIRD</b>
	)	<b>PARTY PLAINTIFF, PATRICIA</b>
	)	<b>CROWELL</b>
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17 PATRICIA CROWELL, an individual	)	[Electronic digital signatures permitted]
18 Counterclaimant,	)	
19 vs.	)	
20 WINE SCOUT INTERNATIONAL, a	)	
21 California corporation,	)	
22 Counterdefendant.	)	
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23 PATRICIA CROWELL, an individual	)	
24 Third Party Plaintiff,	)	
25 vs.	)	
26 MARK STEVEN POPE, aka Mark S. Pope and	)	
27 aka Mark Pope, individually and as he does	)	
28 business under the trade name and style of	)	
Bounty Hunter, Bounty Hunter Rare Wine,	)	
and/or Bounty Hunter Rare Wine and	)	
Provisions,	)	
Third Party Defendant.	)	

1 TO: PLAINTIFF AND COUNTERDEFENDANT, WINE SCOUT INTERNATIONAL, THIRD  
 2 PARTY DEFENDANT, MARK STEVEN POPE, AND TO RESPECTIVE THEIR COUNSEL  
 3 OF RECORD.

4 NOTICE IS HEREBY GIVEN that, commencing as of twelve noon (PDT) on May 7,  
 5 2008 and continuing through May 20, 2008, STEPHEN N. HOLLMAN of BUSINESS &  
 6 TECHNOLOGY LAW GROUP, counsel for defendant, counterclaimant, and third party  
 7 plaintiff, PATRICIA CROWELL, will be away from and unavailable to be reached by his office  
 8 for all purposes, including, but not limited to, the receipt of correspondence, demands, pre-trial  
 9 discovery, or notices of any kind, appearing in Court, responding to *ex parte* applications,  
 10 participating in telephone conferences, and/or attending depositions.

11 Notice is hereby given of the ruling in *Tenderloin Housing Clinic v. Sparks*, 8 Cal.App.4<sup>th</sup>  
 12 299 (1993), regarding the timing of any correspondence, demands, pre-trial discovery, or notices  
 13 of any kind, required appearances in Court, responding to *ex parte* applications, participating in  
 14 telephone conferences, and/or attending depositions will be oppressive and constitute harassment  
 15 if any of such matters neglects or ignores knowledge of the unavailability counsel to whom it is  
 16 directed, and regarding the availability of sanctions for scheduling any conflicting matter during  
 17 such period of unavailability of counsel.

18 Counsel for plaintiff, counterdefendant, and third party defendant was served in hand by  
 19 the undersigned with a Notice of Unavailability dated April 25, 2008 in an open proceeding  
 20 before the Court during the Case Management Conference on that date, and the Notice of  
 21 Unavailability, as so served in hand, recited the identical language as set forth in the two  
 22 foregoing paragraphs herein. The Court's comment to such service during the open proceeding  
 23 before it was that while the immediately foregoing paragraph applied only to state court  
 24 proceedings, the Court did expect that such a Notice of Availability would be received and  
 25 treated with professional courtesy and collegiality.

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1 DATED: May 7, 2008

BUSINESS & TECHNOLOGY LAW GROUP

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3 By: /s/ Stephen N. Hollman  
4 Stephen N. Hollman,  
5 Attorneys for Defendant,  
6 Counterclaimant and  
7 Third Party Plaintiff,  
8 PATRICIA CROWELL  
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